

Remarks

This paper is in response to the Final Office Action mailed February 24, 2006. In view of the following remarks, Applicant respectfully requests reconsideration and allowance of claims 1-19.

In the Office Action, claims 1, 2-4, 6, 8, 10-16, and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Marmaropoulos (U.S. Pat. Appl'n No. 2003/0202003) in view of Minyard et al. (U.S. Pat. No. 6,891,920). Marmaropoulos discloses a monitor including a rotating mechanism. The rotating mechanism is activated by an activation mechanism, such as a switch, that initiates rotation of the monitor independent of the image displayed thereon. See paragraphs [0037]-[0041] of Marmaropoulos. The Office Action acknowledges that Marmaropoulos does not disclose that movement of the monitor is dynamically synchronized with the image information displayed thereon.

To satisfy this deficiency, the Office Action cites Minyard et al. and asserts that Minyard et al. discloses a control unit controlling an actuator unit which dynamically synchronizes the movement of the monitor with the image information displayed thereon. Applicant respectfully disagrees. Minyard et al. discloses a mammographic image system which displays static diagnostic images on a monitor. See col. 10, lines 27-41 of Minyard et al. The monitor is rotatable to appropriately orient the displayed images. See col. 10, lines 42-56 of Minyard et al. Rotation of the monitor can be controlled by a control unit to appropriately orient displayed images. The control unit controls rotation of the monitor to automatically rotate the display device to the desired orientation. The desired orientation may be selected by the user or by processing logic, e.g. to optimize monitor space utilization for a given layout of multiple images.

Independent claim 1 of the present application includes the limitation of "a control unit (12) controlling said actuator unit (11) to dynamically synchronize movement of the monitor (10) with the image information displayed on the monitor (10)." The control unit disclosed in Minyard et al. controls movement of the monitor in response to the desired orientation of the displayed image, and not to dynamically synchronize movement of the monitor with the image displayed thereon. Nothing in Minyard et al. suggests that the movement of the monitor is in any way synchronized with the image information displayed thereon. Moreover, the images disclosed in Minyard et al. are static images absent of anything to which the monitor can be dynamically synchronized, thus precluding dynamic synchronization of the monitor and images. Accordingly,

Applicant respectfully asserts that Minyard et al. does not satisfy the deficiencies in Marmaropoulos, and that claim 1 is allowable over the cited references.

Independent claim 16 and dependent claim 4 include the limitation of "a control unit (12) controlling said actuator unit (11), said control unit including a control loop synchronizing the monitor movement caused by said actuator unit (11) with the image information, wherein the control loop provides for bi-directional data transmission between the monitor actuator unit (11) and the control unit (12) with continuous comparison of the actual value of image information with the target value of monitor movement and the actual value of the monitor movement with the target value of the image information." The Office Action acknowledges that Marmaropoulos does not satisfy this limitation, and that Marmaropoulos only teaches synchronizing the rotation of the monitor with the image information. In order to satisfy the deficiency in Marmaropoulos, the Office Action asserts that based on the deficient teaching of Marmaropoulos, it would have been obvious to include a control loop in Marmaropoulos which provides for bi-directional data transmission between the monitor actuator unit (11) and the control unit (12) with continuous comparison of the actual value of image information with the target value of monitor movement and the actual value of the monitor movement with the target value of the image information. Applicant respectfully disagrees.

Minyard et al. does disclose encoders which may be employed to provide detection of a range of orientations of the monitor. See col. 10, lines 57-65 of Minyard et al. Detecting a range of orientations of the monitor requires simply receiving a signal from the encoder, and cannot be considered bi-directional data transmission between the monitor actuator unit (11) and the control unit (12) with continuous comparison of the actual value of image information with the target value of monitor movement and the actual value of the monitor movement with the target value of the image information, as required in claims 4 and 16 of the present application. Accordingly, Applicant respectfully asserts that Minyard et al. also does not satisfy the deficiencies in Marmaropoulos.

The Office Action suggests that because the control loop disclosed in Applicant's disclosure is better than the control loop disclosed in Marmaropoulos, one skilled in the art has the motivation to substitute the control loop disclosed in Marmaropoulos with the control loop disclosed in Applicant's disclosure. Absent Applicant's disclosure, however, one skilled in the art would not know to substitute the control loop in Marmaropoulos with a control loop which

provides for bi-directional data transmission between the monitor actuator unit (11) and the control unit (12) with continuous comparison of the actual value of image information with the target value of monitor movement and the actual value of the monitor movement with the target value of the image information. Accordingly, Applicant respectfully asserts that the rejection of claims 4 and 16 under 35 U.S.C. 103(b) for being unpatentable over Marmaropoulos in view of Minyard et al. is based on impermissible hindsight construction, and thus improper.

Finally independent claim 18 and dependent claim 3 include the limitation of a "control unit including a control loop synchronizing the monitor movement caused by said actuator unit (11) with the image information, wherein the control loop is designed for dynamic synchronization of the monitor movement with the image information such that in addition to a constant speed of this movement, its acceleration and deceleration can be defined by the user." The Office Action acknowledges that Marmaropoulos does not satisfy this limitation, and that Marmaropoulos only teaches rotating the monitor at predetermined speeds. In order to satisfy the deficiency in Marmaropoulos, the Office Action asserts that based on the deficient teaching of Marmaropoulos, it would have been obvious to include a control loop in Marmaropoulos which allows the user to define the monitor's acceleration and deceleration. Applicant respectfully disagrees.

Minyard et al. does not disclose or suggest a control loop which allows the user to define the monitor's acceleration and deceleration, as required in claims 3 and 18 of the present application. Accordingly, Applicant respectfully asserts that Minyard et al. does not satisfy the deficiencies in Marmaropoulos.

The Office Action suggests that because the control loop disclosed in Applicant's disclosure is better than the control loop disclosed in Marmaropoulos, one skilled in the art has the motivation to substitute the control loop disclosed in Marmaropoulos with a control loop as claimed in claims 3 and 18 of the present application. Absent Applicant's disclosure, however, one skilled in the art would not know to substitute the control loop in Marmaropoulos with a control loop which synchronizes the monitor movement caused by said actuator unit (11) with the image information, wherein the control loop is designed for dynamic synchronization of the monitor movement with the image information such that in addition to a constant speed of this movement, its acceleration and deceleration can be defined by the user. Accordingly, Applicant respectfully asserts that the rejection of claims 3 and 18 under 35 U.S.C. 103(b) for being

unpatentable over Marmaropoulos in view of Minyard et al. is based on impermissible hindsight construction, and thus improper.

As discussed above, even if Marmaropoulos and Minyard et al. could be properly combined, neither of these references disclose or suggest all of the limitations of claims 1, 3, 4, 16, and 18 either individually, or in combination. Therefore, Applicant respectfully asserts that claims 1, 3, 4, 16, and 18 are allowable over Marmaropoulos in view of Minyard et al. Claims 2, 6, 8, 10-12, and 14 depend from claim 1 which, as discussed above, Applicant believes is allowable over the cited references. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 1, 2-4, 6, 8, 10-12, and 14 under 35 U.S.C. 103(a).

In the Office Action, claims 5, 17, and 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Marmaropoulos in view of Minyard et al., and further in view of Badger (U.S. Pat. No. 5,973,664). Claim 5, 17, and 19 depend from one of claims 1, 16, and 18, which as discussed above, are believed allowable over the cited references. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 5, 17, and 19 under 35 U.S.C. 103(a).

In the Office Action, claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Marmaropoulos in view of Minyard et al., and further in view of Ichimura (U.S. Pat. No. 6,801,426). Claim 7 depends from claim 1, which as discussed above, is believed allowable over the cited references. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 7 under 35 U.S.C. 103(a).

In the Office Action, claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Marmaropoulos in view of Minyard et al., and further in view of Mathews et al. (U.S. Pat. Appl'n No. 2002/0109665). Claim 9 depends from claim 1, which as discussed above, is believed allowable over the cited references. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 9 under 35 U.S.C. 103(a).

In view of the above remarks, Applicant respectfully requests reconsideration and allowance of claims 1-19. No additional fees for filing this response are believed to be due. However, if such fees are due, the Commissioner is hereby authorized to charge them to deposit account no. 17-0055.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel G. Radler', written over a horizontal line.

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